

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

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BABY DOE, A CITIZEN OF AFGHANISTAN	:	
CURRENTLY RESIDING IN NORTH	:	
CAROLINA, BY AND THROUGH NEXT	:	CIVIL ACTION NO. 3:22-CV-49
FRIENDS, JOHN AND JANE DOE; AND JOHN	:	
AND JANE DOE, CITIZENS OF AFGHANISTAN:	:	
AND LEGAL GUARDIANS OF BABY DOE,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
JOSHUA MAST, STEPHANIE MAST, RICHARD	:	
MAST, KIMBERLEY MOTLEY, AND AHMAD	:	
OSMANI,	:	
	:	
Defendants,	:	
	:	
and	:	
	:	
UNITED STATES SECRETARY OF STATE	:	
ANTONY BLINKEN AND UNITED STATES	:	
SECRETARY OF DEFENSE GENERAL	:	
LLOYD AUSTIN,	:	
	:	
Nominal Defendants.	:	

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PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants filed various motions to dismiss this matter, *see* ECF Nos. 85, 86, 88, 90-92, with several arguing that the validity of the state court adoption order previously granted to Defendants Joshua Mast and Stephanie Mast for Baby Doe somehow was dispositive of this case. *See, e.g.*, Joshua and Stephanie Mast's Memorandum in Support of Their Motion to Dismiss (ECF No. 86) at 12 (arguing that "all of [Plaintiffs'] causes of action, and all 12 declarations they seek, are premised

on the theory that the Adoption Order is invalid”); *id.* at 14 (“While the Does ostensibly bring tort claims for damages, each claim is premised on the alleged invalidity of the Virginia Adoption Order”); Richard Mast’s Motion to Dismiss (ECF No. 88) at 23 (arguing that “Defendant Joshua Mast has a valid final Virginia adoption order”). Plaintiffs have disagreed with both the assertions that the adoption order was valid and that the order’s validity was dispositive of any claims in this proceeding.

Regardless, Plaintiffs now inform the Court that the Fluvanna County Circuit Court recently ***vacated the final adoption order***, finding it void *ab initio*. At a hearing on Thursday, March 30, 2023, the court vacated the final adoption order, finding (in part) that John Doe and Jane Doe were deprived of due process and that the order was procured through extrinsic fraud. The court asked the parties to submit a draft order to this effect for the court’s consideration and stated that it plans to stay the order pending appeal. Plaintiffs will provide this Court with the final order once it issues.

Dated: April 3, 2023

Respectfully submitted,

/s/ Maya Eckstein

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of April, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to all CM/ECF participants.

By: /s/ Maya M. Eckstein
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